IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE COLUMBIA DIVISION

DYLAN J. TREVINO, A Minor, Suing By his Next Friend and Guardian, DIANA TREVINO, and DIANA TREVINO,)
Individually,)
Plaintiffs,)
vs.) Civil Action No. 1:10-cv-00115) JUDGE HAYNES
BLITZ U.S.A., INC.; LAM 2011 HOLDINGS, LLC, f/k/a BLITZ HOLDINGS, LLC; KINDERHOOK CAPITAL FUND II, L.P.; BLITZ ACQUISITION HOLDINGS, INC.; BLITZ ACQUISITION, LLC; and BLITZ RE HOLDINGS, LLC.) JURY DEMANDED)))))
Defendants.)

JOINT STIPULATION FOR ENLARGEMENT OF TIME

COME NOW Defendant, Kinderhook Capital Fund II, L.P. ("Kinderhook"), and Plaintiffs, Dylan J. Trevino, A Minor, Suing By his Next Friend and Guardian, Diana Trevino, and Diana Trevino, Individually, hereby stipulate that Plaintiffs shall have up to and including January 6, 2012, to file their opposition memorandum to Kinderhook's motion to dismiss [Docket No. 81]. The parties further stipulate that Kinderhook shall have up to and including January 27, 2012, to file its reply memorandum. Both parties agree that entering into this stipulation is without prejudice to any of their claims or defenses including, without limitation, either party's ability to seek relief from the United States Bankruptcy Court for the District of Delaware [Docket No. 91] or Kinderhook Capital Fund II L.P.'s ability to seek a stay from this Court.

Respectfully submitted,

By: <u>s/ Hank Anderson</u>

Hank Anderson Texas Bar No. 01220500 Benton G. Ross

Texas Bar No. 01220500
THE ANDERSON LAW FIRM
4245 Kemp Blvd., Suite 810
Wichita Falls, Texas 76308

Tel: (940) 691-7600 Fax: (940) 228-3194 Admitted Pro Hac Vice

By: <u>s/ Randy Kinnard</u>

Randall L. Kinnard #4714 Daniel Clayton #12600

KINNARD, CLAYTON & BEVERIDGE

127 Woodmont Boulevard Nashville, TN 37205

Tel: (615) 297-1007 Fax: (615) 297-1505

ATTORNEYS FOR PLAINTIFFS

s/ Timothy Haekness By:

Timothy P. Harkness (N.Y. Bar No. TH 9026)

FRESHFIELDS BRUCKHAUS DERINGER US LLP

601 Lexington Avenue New York, NY 10022 Tel: (212) 277-4000 Fax: (212) 277-4001 Admitted Pro Hac Vice

By: Wallace Dietz

Wallace W. Dietz (#009949) Wendy M. Warren (#021880) BASS, BARRY & SIMS PLC

150 Third Avenue South, Suite 2800

Nashville, TN 37201 Tel: (615) 742-6276 Fax: (615) 742-2776

ATTORNEYS FOR DEFENDANT KINDERHOOK CAPITAL FUND II, L.P.